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Attorney for Plaintiff, CODY NICHOLS

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CODY NICHOLS, an individual, Plaintiff, vs. DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee For Morgan Stanley Loan Trust 2006-HE4, an entity of unknown form; DECISION ONE MORTGAGE COMPANY, LLC, a North Carolina Limited Liability Company; and DOES 1-10, inclusive, Defendants.	CASE NO. 07CV2039L (NLS) **NOTICE OF WITHDRAWAL OF APPLICATION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

TO: DEFENDANTS, DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee For Morgan Stanley Loan Trust 2006-HE4, DECISION ONE MORTGAGE COMPANY, LLC, AND, THEIR ATTORNEY(S) OF RECORD:

PLEASE TAKE NOTICE THAT Plaintiff hereby withdraws his application for a Temporary Restraining Order ("TRO") and a Preliminary Injunction enjoining Defendants and their servicers, agents, assigns, employees, officers, attorneys, and representative from engaging in or performing any act to deprive Plaintiff of ownership or possession of the real property located at 2010 Rancho Manzanita, Boulevard, California 91905 (hereinafter the "Property"), including but not limited to instituting, prosecuting, or maintaining foreclosure or sale proceedings on the Property, from recording any deeds or mortgages regarding the Property or from otherwise taking any steps whatsoever to deprive Plaintiff of ownership in the Property, and in particular from proceeding with the sale of the Property scheduled for October 30, 2007.

Plaintiff was notified by First American LoanStar Trustee Services that the Trustee's Sale on the Property scheduled for 10:00 a.m. on October 30, 2007 has been postponed to November 26, 2007 due to the natural disaster in California. A copy of the confirmation Fax Transmittal dated 10/29/07 is herein attached as Exhibit "NOW-A".

On the grounds that the postponement of the sale date from October 30, 2007 to November 26, 2007 makes the application for a TRO moot, Plaintiff seeks to withdraw his current application without prejudice to file another application for a TRO and a Preliminary Injunction in the future, if necessary.

Dated: October 29, 2007

/s/ Deborah L. Raymond
Deborah L. Raymond, Esq.
Attorney for Plaintiff

First American
LoanStar Trustee Services

Fax Transmittal

DATE: 10/29/07	
TO: DEBORAH RAYMOND	**FROM:** Bruce Cocklin
COMPANY: LAW OFFICE	**FAX:** 817-826-1202
FAX: 858-724-0747	**PHONE:** 817-699-4149
PHONE: 858-481-9559	**PAGES** (INCLUDING COVER): 1

NOTES/COMMENTS:

Please accept this as written confirmation of our telephone conversation of 10/29/07 wherein you were advised that the foreclosure sale set for 10/30/07 for the property at 2010 Rancho Manzanita, Boulvard CA TS # 20079134002603 has been postponed to 11/26/07 due to the natural disaster in California.
Thank you.

1 First American Way, Mail Stop 5-5-388, Westlake, Texas 76262
TEL 817-699-4149 • FAX 214-424-8136

EXHIBIT "NOW-A"